

EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

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CATHERINE ALEXANDER, :
Plaintiff, :
v. :
TAKE-TWO INTERACTIVE SOFTWARE, : Cause No.
INC., 2K GAMES, INC., 2K : 3:18-CV-0966-SMY
SPORTS, INC., WORLD WRESTLING :
ENTERTAINMENT, INC., and :
VISUAL CONCEPTS ENTERTAINMENT, :
Defendants. :
----- X

Zoom Video Deposition of

EDWARD M. KIANG

Tuesday, August 4, 2020

9:04 a.m. CST to 12:24 p.m. CST

Job No.: 311575

Pages: 1 - 122

Reported by: Melody Stephenson

BBA, FCRR, CRR, CRC, RPR, RSA, MO CCR #406

Transcript of Edward M. Kiang
Conducted on August 4, 2020

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1 If there was historical context for an earlier 10:36:33
2 period in his life when he didn't have said 10:36:36
3 tattoos, it might've been approved. 10:36:38

4 Q (By Mr. Friedman) Looking at the way in 10:36:40
5 which the Orton character exists in the WWE 2K 10:36:42
6 Games, that Orton character contains tattoos, 10:36:49
7 isn't that right? 10:36:53

8 A That's correct. 10:36:54

9 Q So had that Orton talent model been 10:36:54
10 submitted to the WWE without any tattoos, would 10:36:59
11 WWE have approved it? 10:37:04

12 MR. KRASIK: Objection. Calls for 10:37:07
13 speculation, and now asked and answered. 10:37:08

14 You can answer it one more time. 10:37:11

15 A No, it would not have been approved for 10:37:13
16 the uses that are, you know, within the standard 10:37:15
17 play of the game. 10:37:20

18 Q (By Mr. Friedman) All right. Thank you. 10:37:20

19 Had the Orton talent model been submitted 10:37:22
20 with tattoos that were different from the tattoos 10:37:26
21 that Mr. Orton has in real life, would the WWE 10:37:29
22 have approved that talent model? 10:37:34

23 MR. KRASIK: Objection. Calls for 10:37:36
24 speculation. 10:37:39

25 A Again, without further context, we 10:37:40

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1 would've flagged it for further comment and tried 10:37:43
2 to ascertain why they would've made that change. 10:37:45

3 Q (By Mr. Friedman) All right. Given the 10:37:48
4 way in which the Orton character appears in the 10:37:51
5 WWE 2K Games, had that Orton character talent 10:37:55
6 model been submitted with tattoos that were 10:38:00
7 different from the tattoos Mr. Orton has in real 10:38:02
8 life, would the WWE have rejected that talent 10:38:04
9 model? 10:38:07

10 A That's correct. 10:38:08

11 MR. KRASIK: Objection. Calls for 10:38:09
12 speculation. 10:38:12

13 You can answer. 10:38:13

14 A That's correct. 10:38:13

15 Q (By Mr. Friedman) Had Take-Two submitted 10:38:13
16 a Randy Orton talent model in which his tattoos 10:38:21
17 were all blurred out, do you think WWE would've 10:38:28
18 approved that talent model? 10:38:31

19 MR. KRASIK: Objection. Calls for 10:38:35
20 speculation. 10:38:37

21 A I -- we would not have approved it unless 10:38:37
22 we had a reason to approve it. 10:38:40

23 Q (By Mr. Friedman) Now, given those 10:38:45
24 scenarios that we just discussed, why is it that 10:38:46
25 the WWE would not have approved a Orton talent 10:38:52

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1 A Again, I think realistic is a little
2 subjective. For us, it's -- it -- you know, we
3 want to maintain that there's a -- a level of
4 accuracy to the brand. Inclusive of that could be
5 Randy Orton's tattoos on Randy Orton's body.

6 Q Okay. And that was an important
7 consideration for the WWE, is that right?

8 A I wouldn't -- I wouldn't characterize it
9 as saying that his tattoos are an important
10 decision within our approval process, but it
11 would, you know, wholistically, it would be
12 something that would be noticed.

13 Q Okay. But the tattoos on Randy Orton were
14 important enough that without accurate
15 representation of the tattoos, the Orton talent
16 model would not have been approved, isn't that
17 right?

18 A Presumably. Again, it -- it's hard --
19 it's hard to speculate unless we know the
20 difference that we're talking about. Some things
21 might go unnoticed depending on the resolution
22 and -- and type of change but --

23 Q In order to approve the Randy Orton talent
24 model, does -- did the WWE need to make a
25 determination that his tattoos were an accurate